

## Article - Environment

[\[Previous\]](#)[\[Next\]](#)

§15–311.

(a) If any matter, thing, or practice in, about, or connected with any mine may become dangerous or defective and endangers the bodily safety of any person, the Bureau may give written notice to the mine operator by way of a special order. The order shall state in detail the matter, thing, or practice which may become dangerous or defective, and require its correction, suggesting changes as conditions may require. If the matter, thing, or practice involves the safety of a mine or a considerable portion of a mine, and the mine operator after receipt of this order neglects or refuses to take immediate steps to remedy the matter, thing, or practice, the Bureau may institute proceedings before the circuit court for the county in which the affected mine is located, to restrain the operator from operating the mine until he complies with the safety order. The court shall proceed immediately to hear and determine fully the case, and may make any order confirming, modifying, enforcing, or vacating the safety order as is just and proper. The cost may be awarded as the court directs.

(b) If the Bureau discovers or learns there is an imminent danger existing in all or part of a mine, it shall order immediately the person then in charge of the mine to remove at once every person from where the danger exists. If the person in charge of the mine fails to comply with the order, the Bureau shall take whatever steps it deems necessary to remove or have removed every person from the place where the danger exists. Every person shall remain out of all or that portion of the mine until the danger is ended.

(c) In addition to any other authority conferred in this title, the Bureau may enter and inspect any mine to determine the conditions of safety in that mine. If the Bureau finds the mine unsafe or operated in an unsafe manner, it shall order the unsafe condition corrected immediately. If the mine owner or operator fails to correct the unsafe condition, the mine shall be closed until the condition is corrected.

[\[Previous\]](#)[\[Next\]](#)